IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

Bail Appl..No. 1254 of 2007()

CMP.1078/2007 of J.M.F.C., KAYAMKULAM

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PETITIONER/ACCUSED NO.4(IN CUSTODY)

UDEESH, S/O UADYAN,
PANDAKASALAYIL HOUSE,
SOUTH OF S.N.CENTRAL SCHOOL,
KRISHNAPURAM MURI, KRISHNAPURAM VILLAGE.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENT/COMPLAINANT:

THE STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl.M.C. No. 1254 of 2007

DATED: 2-5-2007

O R D E R

Petitioner who is the 4th accused in a crime registered by the Sub Inspector of Police, Vadakkancherry Police Station for offences punishable under Secs.341 and 323 read with sec.34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No. 1060 of 2004 on the file of the J.F.C.M, Alathur, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this Crl.M.C. is disposed of .

V.RAMKUMAR, JUDGE.

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